

Members

Rep. Peggy Welch, Chairperson
Rep. Charlie Brown
Rep. Robert Bischoff
Rep. Mary Kay Budak
Rep. Dennis Kruse
Rep. Jeff Thompson
Sen. Joseph Zakas
Sen. Allen Paul
Sen. John Waterman
Sen. William Alexa
Sen. James Lewis
Sen. Sam Smith



INTERIM STUDY COMMITTEE ON MARRIAGE AND FAMILY BUILDING INITIATIVES

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MEETING MINUTES¹

Meeting Date: September 5, 2002
Meeting Time: 1:30 P.M.
Meeting Place: State House, 200 W. Washington
St., Room 156A
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Peggy Welch, Chairperson; Rep. Charlie Brown; Rep. Robert Bischoff; Rep. Mary Kay Budak; Rep. Dennis Kruse; Rep. Jeff Thompson; Sen. Allen Paul; Sen. William Alexa; Sen. James Lewis.

Members Absent: Sen. Joseph Zakas; Sen. John Waterman; Sen. Sam Smith.

The chairperson called the meeting to order at 1:25 P.M. and asked the members to introduce themselves.

Integrated Statewide Case Management System

The Chairperson introduced Justice Frank Sullivan, Jr. for a presentation concerning the

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Integrated Statewide Case Management System (CMS) which the Supreme Court is implementing.

Justice Sullivan thanked the Chairperson for inviting him to make a presentation before the Committee. The purpose of the new case management system is to provide for better information sharing among all courts in the State. There are approximately one million five hundred thousand cases filed each year in Indiana courts. Each court maintains its own records. Yearly the records are all compiled in the chronological case summary information. CMS will provide for links among the courts as well as links with the State Police, the Bureau of Motor Vehicles, the General Assembly, other governmental entities, and the public.

The new automated system will allow for a more cost effective means of tracking cases, provide users with more information, and reduce the cost of trial court operations. The new system will, among other things, allow users to:

- check the status of cases;
- transmit information to the Bureau of Motor Vehicles immediately;
- have access to domestic violence and other protection orders;
- see changes made in filings and orders; and
- electronically process countless transactions of the courts.

Justice Sullivan expressed gratitude to the General Assembly for support in finding resources to pursue the project. The increase of court fees in the 2002 Session of the General Assembly allowed for major funding for the project.

In answer to a question from Representative Brown, Justice Sullivan explained the public access component of the new system. There will be general public access, but not all data will be available to the public. The new system will not change what is available to the public but the manner in which data is kept and distributed. The public should have easier access to information concerning service, filings, etc. The tough question is how much information should be made available on the web. Clearly there needs to be some protection against revealing Social Security numbers and other sensitive personal information. The court is looking at guidelines for what should be available to the general public. There are some guidelines prepared by the National Center for State Courts which are being used as a starting point.

Senator Alexa inquired about the level of cooperation from the counties. According to Justice Sullivan, it is too early to say what problems counties might encounter. The consultants working on the program have been working with judges, clerks, bailiffs, prosecutors, and defense attorneys to identify modifications needed on the court level to make the uniform system work.

In response to a question from Representative Kruse, Justice Sullivan indicated that most of the money will come from the court filing fees provided in SEA 314 enacted in 2002. There has also been some money from the Criminal Justice Institute and some other dedicated funds. Counties have provided some of the money. For the counties, the intent is for them to pay no more than they are now paying for computer and case management services. Because the system should cost less after the initial start up, the fees will be reduced in 2009 to reflect ongoing costs but

not the initial start up costs.

In answer to a question from Chairperson Welch, Justice Sullivan said that, in addition to providing more information in a timely manner, the new system will allow for enhanced analysis and reports. Justice Sullivan has been working with the Legislative Services Agency to determine what kinds of reports would be useful to the General Assembly.

The pilot program of three counties should be running by the end of 2003. Within three years, the system should be in all county, city and town courts. Marion County, which has approximately twenty percent of all judicial business of the State, will be one of the pilot counties. The assumption is that a very broad range of issues and types of cases and data will be pretty well covered in Marion County and that the other two counties will be a medium and a small county. To date, forty-five counties have requested to be one of the pilot counties. (Exhibit 1 is a chart Justice Sullivan provided on the system.)

Presentation on Status of Indiana Receiving Federal Funds Designated to Strengthen Families

Ms. Amy Brown from the Family and Social Services Administration (FSSA) discussed what FSSA is currently doing to support families. She included the father and families initiative, child care programs, first steps (which targets developmentally disabled children in the zero to three age range), and IMPACT (which is welfare to work). FSSA wants to keep families healthy and stable. The TANF reauthorization included provisions for dealing with teen pregnancy prevention and fatherhood issues. Health and Human Services (HHS) potentially has some money for fatherhood building. There also may be demonstration projects including programs to locate non-custodial parents. These initiatives have sixty-six percent federal dollars with a thirty-four percent State match. There may also be studies to research the characteristics of families with low income to determine which factors lead to family stability. Marriage and paternity may be important, but there are other factors involved.

In response to a question from Chairperson Welch, Ms. Brown indicated that TANF dollars are totally committed. FSSA recently announced that they need to reduce TANF by sixty million dollars. They need to scale back TANF services and put the money into cash assistance. In response to a question from Representative Brown, Ms. Brown reported that child care, work training, and other services will be reduced because of the sixty million dollars in cuts. Ms. Brown said that the State's share of TANF for FY 03 is one hundred fifteen million dollars.

Mr. Curt Smith, Indiana Family Institute, told the Committee that his organization is interested in the root cause of social ills. The Family Institute is interested in teaching healthy marriage skills. They believe that healthy marriages provide benefits for children, husbands, and wives including better physical health and a reduction in domestic violence. (Exhibit 2 consists of information provided by Mr. Smith.)

Mr. Smith said that the Indiana Family Institute has the tools to help enhance

marriages by helping with premarital counseling, using personality inventory tests for couples, and working with marriage mentors. They are working on a pilot project with HHS. Mr. Smith stated that FSSA could receive federal TANF funds for the type of programs they want to institute.

Dr. Tim Gardner, Director of Marriage Education and Policy Center at the Indiana Family Institute, stated that the majority of Americans want to have happy marriages but believe the cards are stacked against them. His goal is to help present an environment where marriage can work. Couples need communication training.

Chairperson Welch asked Dr. Gardner about some initiatives Oklahoma is taking in this area. (Exhibit 3 is information Representative Welch provided concerning Oklahoma's marriage initiative.) Dr. Gardner reported that the Oklahoma program includes a marital awareness program. He further stated that Iowa's welfare program considered disincentives to marriage such as loss of certain benefits.

Chairperson Welch asked Ms. Brown if for the next meeting FSSA could provide the Committee with State laws which might prove a disincentive for marriages. Ms. Brown stated that some recipients of TANF are so focused on meeting basic needs that marriage enhancements are not foremost with them. Indiana has focused the State's attention on security for children so they have an opportunity to grow. The State has been concentrating on child care and job training. With the sixty million dollars in cuts, the State will need to focus even more on cash assistance.

Ms. Beryl Cohen, Indiana Coalition on Housing and Homeless Issues (ICHHI), said that while marriage provides a better environment for the children, most of the persons receiving TANF assistance are consumed with making ends meet. She would like to see the Committee focus more on ways the State could make changes in laws which make it difficult for families to stay together. This would include tax laws.

Discussion of future meetings

For the next meeting, Chairperson Welch asked the members to review the policy considerations listed on page 10 of the information she received from the NCSL. (Exhibit 4) The Chairperson asked Ms. Brown, Ms. Cohen, and representatives from the Indiana Family Institute to work together to prepare a presentation for the Committee concerning things the State could do to enhance marriages without the expenditure of additional State dollars. The members wanted more information on mandatory counseling. Representative Brown appreciated the information the members received and wanted some input from others, including the Indiana Civil Liberties Union, on the issue of mandatory counseling. The Chairperson asked Ms. Brown if FSSA could provide the Committee with information on programs for case worker training in family enhancement as well as information on FSSA's Fathers and Families initiative. She also asked FSSA to address the agency's program for establishment of paternity.

Chairperson Welch reported to the Committee that Representative Bill Crawford had asked her to look into the disproportionately high number of African American

children in foster care.

The next meeting will be Thursday, September 26 at 1:00 P.M. in Room 156B. The agenda will include:

- a report from discussions among FSSA, ICHHI, and the Indiana Family Institute on things that could be done to enhance families
- reports from FSSA on paternity establishment and social worker training in family enhancement
- input from the ICLU on mandatory premarital counseling
- a report from FSSA on the number of African-American children in foster care

(Exhibit 5 is information provided following the meeting by Dr. Gardner.)